

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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SCOTT COHEN,

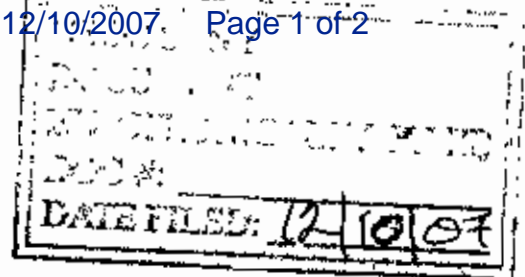
Plaintiff,

- against -

YURI KUPERMAN,

Defendant.
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NAOMI REICE BUCHWALD
UNITED STATES DISTRICT JUDGE



O R D E R

07 Civ. 6365 (NRB)

WHEREAS the above-captioned case was dismissed by this Court on November 16, 2007 pursuant to Rule 4(m) of the Federal Rules of Civil Procedure because plaintiff failed to serve the summons and complaint within 120 days of filing; and

WHEREAS plaintiff has moved this Court to re-open the case because plaintiff asserts that plaintiff had in fact timely submitted a request to this Court for extension of time to serve; and

WHEREAS this Court never received any such correspondence nor any other request for extension of time, and there is no evidence that plaintiff ever attempted to serve the defendant; it is hereby

ORDERED that in the absence of evidence that such a request was actually sent, or that plaintiff attempted to serve the

defendant, plaintiff's motion is denied and this case will remain closed.

Dated: New York, New York
December 6, 2007

A handwritten signature in cursive script, reading "Naomi Reice Buchwald".

NAOMI REICE BUCHWALD
UNITED STATES DISTRICT JUDGE